

Right
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baffles defining a plurality of openings which are positioned between adjacent cutting blades.--

REMARKS

5 The drawings were objected to under 37 C.F.R. 1.83(a) as set forth in paragraph 1 of the Office Action dated October 4, 1996. Inasmuch as claimed "automatic means" has been cancelled in the claims, it is believed that the drawing objection is no longer pertinent.

With respect to paragraph 2 of the Office Action, the drawings will be corrected upon the allowance of claims.

10 The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. In paragraph 4 of the Office Action dated October 4, 1996, many objections were made to the language of claims 1-8. Claims 1-8 have been cancelled without prejudice, with new claims 9-21 having been added to the application. It is believed that all of the objections set forth in paragraph 4 of the Office Action are no longer pertinent to the newly added claims. Further, the specification has 15 been amended to delete the quotation marks set forth in certain parts of the application.

Claims 1-8 were rejected under 35 U.S.C. § 103 as being unpatentable over Kitamura (5,337,543).

20 The Examiner believes that Kitamura discloses a lawn mower having all of applicants' claimed structure with such structure being set forth in paragraph 6 of the October 4, 1996, Office Action. Generally speaking, applicants believe that the newly submitted claims clearly define patentable subject matter, as will be more fully set forth hereinbelow.

25 Claim 9 is directed to a multiblade lawnmower including a mower deck comprising a top wall, a front wall, a back wall and first and second side walls which

1 define a downwardly directed opening. Claim 9 also describes that the first side wall of
the mower deck has a discharge opening formed therein, with the discharge opening
having rearward and forward ends. Claim 9 specifically describes that there is a first
flow control baffle positioned in the mower deck which extends downwardly from the
interior surface of the top wall between the cutting blades and the front wall of the
5 mower deck. Claim 9 further describes that the first flow control baffle extends
substantially continuously from a first location adjacent the interior surface of the
second side wall to a second location adjacent the interior surface of the first side wall
and adjacent the forward end of the discharge opening.

10 Claim 10 is dependent on claim 9 and further adds the limitation that the second
flow control baffle is positioned in the mower deck which extends downwardly from the
interior surface of the top wall between the cutting blades and the back wall. Claim 10
also describes that the second flow control baffle includes a plurality of semi-circular
baffle portions with each of the baffle portions being positioned adjacent one of the
15 cutting blades. Claim 10 further describes that the first and second flow control baffles
define a plurality of openings which are positioned between adjacent cutting blades.

16 Claim 11 depends from claim 9 and further describes the specific construction of
the first flow control baffle. Claim 12 depends from claim 11 and specifically describes
the relationship of the substantially straight baffle portions which direct grass cuttings
from one cutting blade towards the adjacent cutting blade between the baffles and a
20 rotatable axis of the adjacent cutting blade. Claims 13 and 14 are dependent on claims
10 and 12, respectively, claims 13 and 14 being variations of the claimed subject matter
of claims 9-12.

21 Applicants' first flow control baffle, as described in claim 9, and applicants'
second flow control baffle, as described in certain of the other claims, ensures that the

1 grass cuttings will be discharged from the discharge opening of the mower deck in a
uniform pattern without the grass cuttings being deflected downwardly from within the
mower deck. Further, applicants' flow control baffles, as described in claims 9-14,
enable the grass to be discharged from the side discharge in a more efficient manner
which requires less horsepower than normally consumed by prior art machines.
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Kitamura is completely silent as to any teachings even remotely resembling applicants'
claimed flow control baffles. There is absolutely no teaching of any structure in
Kitamura even remotely similar to that described in claims 9-14 and it is submitted that
claims 9-14 define patentable subject matter which is not anticipated by the Kitamura
patent nor made obvious by the Kitamura patent. Accordingly, claims 9-14 should be
10 allowed.

15 Claim 15 is an independent claim and is directed to a riding lawn mower. Claim
15 specifically describes that the frame means of the mower has an engine support
deck which is disposed in a plane closely adjacent the rotational axes of the first and
second drive wheels. Claim 15 further describes that the mower deck has a first,
vertically disposed shaft rotatably mounted in the mower deck at the rearward end
thereof and which has an upper end positioned above the top wall of the mower deck.
Claim 15 further describes that an upper pulley is mounted on the upper end of the first
shaft above the top wall of the mower deck for rotation with the first shaft. Additionally,
claim 15 describes that there is a lower pulley mounted on the first shaft, for rotation
therewith, below the upper pulley. Claim 15 specifically describes that the lower pulley
20 is substantially disposed in the same plane as the top wall of the mower deck. Claim
15 specifically describes a first belt means which interconnects the upper pulley with
the pulleys on the spindles of the cutting blades. Additionally, claim 15 describes that
an engine is mounted on the engine deck and has a horizontally disposed, rearwardly
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1 extending, rotatable drive shaft having a drive pulley mounted thereon. Claim 15
describes first and second idler pulleys which are rotatably mounted on the frame
means, about a horizontal axis, which is substantially transverse with respect to the
rotational axis of the engine drive shaft. Claim 15 concludes with the limitation that
5 there is a belt means which extends around the drive pulley, the idler pulleys, and the
lower pulley of the first shaft for supplying driving power to the cutting blades.

10 Claim 16 depends from claim 15 and describes that the top wall of the mower
deck has an opening formed in its rearward end which rotatably receives the lower
pulley and which at least partially receives the belt means extending from the drive
pulley. Claim 17 depends from claim 16 and further describes the connection between
15 the first and second hydraulic motors and the horizontally disposed, forwardly
extending drive shaft of the engine.

15 At first blush, it might seem that the structure described in claims 15, 16 and 17
would be obvious, but such is not the case. The fact that the lower pulley, which is
operatively connected to the drive pulley on the engine, is disposed in substantially the
same plane as the top wall of the mower deck is quite important in that it permits the
engine to be lowered on the frame means so that the center of gravity of the mower will
be lowered which increases the safety of the mower on hills or the like. If the drive
pulley of the engine was connected to a pulley positioned above the mower deck, such
as in Kitamura et al., the engine would obviously have to be raised on the frame means
20 a like amount to enable the belt means to efficiently interconnect the same. As
described in claim 16, the rearward end of the top wall of the mower deck is provided
with an opening which permits the lower pulley to be positioned in the same plane as
the top wall of the mower deck.

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The prior art is completely silent as to any teaching even remotely similar to that described in claims 15-17. In fact, Kitamura teaches that the drive belt which is operatively connected to the engine is positioned above the pulleys on the cutting blade spindles. Accordingly, it is believed that applicants' mower structure as set forth in claims 15-17 would not be obvious under 35 U.S.C. § 103 on the basis of Kitamura. 5 Accordingly, claims 15-17 should be allowed.

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Claim 18 describes the linkage means which permits the mower deck to be quickly and easily raised from a previously determined mowing position to a raised position so that the mower deck may cross uneven terrain, curbs, etc. Although the prior art includes some means for adjusting the vertical height of floating mower decks, the prior art is completely silent as to any means such as that described in claims 18, 15 19 and 20. Although applicants' structure as described in these claims might seem to be fairly simple, it is the structure described in those claims which achieves significant advantages and results over that of the prior art. For example, referring to the drawings, Figure 4 illustrates the operator handle in a position such that it is resting on a pin 48. If desired, the pin 48 could be placed in any of the openings 46 positioned thereabove so that the floating mower deck would not be permitted to be lowered beyond a certain point with respect to the ground. Perhaps the most important aspect of applicants' claimed invention is that the handle may be quickly and easily raised from the position illustrated by solid lines in Figure 4 to the position illustrated by broken lines in Figure 4. If the operator desires to go over a curb, obstruction or the like, the operator simply pulls upwardly on the handle until the handle is positioned above the recessed portion 45C shown in Figure 4A. The operator may then position the handle in the recessed portion and then release his hand from the handle with the recessed portion maintaining the mower deck in its upper position. When it is desired to resume 20 25

1 the normal cutting position, the operator simply removes the handle from the recessed portion and lowers the handle, without looking at the same, until the handle engages the pin 48, at which time the operator will feel and know that the mower deck is in the proper position. In applicants' invention, there is no need for pins to be removed and replaced each time the mower deck is to be raised to its transport position. Applicants' 5 invention as described in claims 18 and 19 is clearly not made obvious by the prior art, since there is absolutely no teaching that even comes close to making applicants' invention obvious. Kitamura simply does not disclose or teach any structure which would make applicants' structure obvious. Accordingly, claims 18 and 19 should be 10 allowed.

10 Claim 20 is directed to the structure shown in Figure 5 of the patent drawings. Essentially, a pulley arrangement is illustrated which enables the forwardly extending 15 drive shaft of the engine to be connected to the pulleys of the hydraulic pumps so that each of the hydraulic pumps may be rotated in the same direction. Although it may seem rudimentary that if a person could not rotate the pumps in the same direction, that person would simply obtain a pump which could be rotated in an opposite direction without attempting to devise some type of belt arrangement to enable both of the 20 hydraulic pumps to be rotated in the same direction, the same is not true. By enabling both of the hydraulic pumps to be operated in the same direction, only a single type of hydraulic pump needs to be maintained in inventory, rather than two types of hydraulic pumps. The pulley arrangement disclosed in claim 20 also provides for a very compact interconnection between the forwardly extending drive shaft of the engine and the hydraulic pumps.

Kitamura is silent as to any teachings which would enable a pair of hydraulic pumps to be rotated in the same direction, as required by claim 20. Accordingly, it is not believed that claim 20 would have been obvious in view of the prior art.

Claim 21 has also been added to the application which is essentially identical to claim 10, which is dependent on claim 9, except that the back wall of the mower deck is not specifically described, since the second flow control baffle could be the back wall of the mower deck. Claim 21 is believed to be allowable for the reasons expressed in support of claims 9 and 10 hereinabove.

The foregoing has clearly shown that applicants' invention described in the claims would not have been obvious to a person having ordinary skill in the art at the time of the invention. Accordingly, the Examiner is respectfully requested to allow claims 9-20.

Respectfully submitted,

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I hereby certify that the original of this AMENDMENT for GARRY W. BUSBOOM,
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